

Nicholas L. Coch
Kramer, Levin, Naftalis & Frankel, LLP
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 715-9118
Facsimile: (212) 715-8000

Talivaldis Cepuritis
Joseph M. Kuo
Anita M. Cepuritis
Brian R. Michalek
Olson & Cepuritis, Ltd.
20 North Wacker Drive, 36th Floor
Chicago, Illinois 60606
Telephone: (312) 580-1180
Facsimile: (312) 580-1189

Attorneys for Defendant - Counterclaimant BestMed, LLC

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MEDISIM, LTD

Plaintiff - Counterdefendant

v.

BESTMED, LLC

Defendant - Counterclaimant

Civil Action No.: 10-cv-2463 (SAS) (RLE)

BESTMED, LLC'S OBJECTIONS TO MEDISIM'S PROPOSED JURY CHARGES

In accordance with that agreed upon by the parties in the Joint Pretrial Order in this case (Dkt. 136), BestMed submits its Objections to Medisim's Proposed Jury Charges with attached Exhibits 1 and 2. These objections are penned in the margin and include citation to authority as required by Joint Pretrial Order.

Respectfully submitted,

Dated: January 16, 2013

By: /s/ Joseph M. Kuo

Talivaldis Cepuritis
Joseph M. Kuo
Anita M. Cepuritis
Brian R. Michalek
Olson & Cepuritis, Ltd.
20 North Wacker Drive, 36th Floor
Chicago, Illinois 60606
Telephone: (312) 580-1180
Facsimile: (312) 580-1189

Nicholas L. Coch
Kramer, Levin, Naftalis & Frankel, LLP
1177 Avenue of the Americas
New York, New York 10036
Telephone: (212) 715-9118
Facsimile: (212) 715-8000

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 16, 2013, a copy of the foregoing **BESTMED, LLC'S OBJECTIONS TO MEDISIM'S PROPOSED JURY CHARGES** was electronically filed with the Court via ECF which thereby served an e-mail notice upon the attorneys listed below:

Scott S. Christie
Keith J. McWha
MCCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102-4056
Tel. No. (973) 622-4444
Fax No. (973) 624-7070
E-mail: schristie@mccarter.com
kmcwha@mccarter.com

/s/ Joseph M. Kuo